CANUCK LAW

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MARCH 18, 2020 BY RONNIE

David Berger, Ex-MP, Ex-Israel Ambassador, Now With JRAN, CCR

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David Berger, B.A., B.C.L.

David Berger, B.A. (Toronto) 1971; B.C.L. (McGill) 1975, was admitted to the *Barreau du Québec* in 1986.

David relies on a unique experience in elective office, diplomacy, business, and law in advising and representing his clients.

From 1979 to 1994, David served as a Member of the House of Commons of Canada, representing the constituencies of Laurier and St-Henri-Westmount.

From 1995 to 1999, David served as Canadian ambassador to the State of Israel, representative to the Palestinian Authority and High Commissioner to Cyprus.

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David is a member of AQAADI (*L'Association Québécoise des avocats et avocates en droit de l'immigration*), the Canadian Bar Association (Immigration Section), the Canadian Association of Refugee Lawyers, the Jewish Refugee Action Network, and an associate member of the Canadian Council for Refugees.

David is a director of several not for profit organizations including the Canada International Scientific Exchange Program (CISEPO), the Jerusalem Foundation of Canada, the International Fellowship of Christians and Jews (Canada), and the Trevor Williams Kids Foundation.

Immigration Lawyer
David Berger
May 2005 – Present · 14 yrs 11 mos
Montreal

My practice includes many different aspects of immigration, refugee and citizenship law including skilled worker applications, business immigration programs, and work or study permits.

I provide counsel to individuals, families and businesses in all facets of an application, notably in identifying the most expeditious manner of obtaining a visa or permit, communications with government officials, and appeals. I also have had particular success with difficult applications where clients faced considerable obstacles in obtaining or maintaining status in Canada.

Immigration to Canada represents opportunity but also difficulties and risks. I help clients to minimize the difficulties and risks and ensure the best possible results.

see less

Ambassador
Embassy of Canada in Israel
1995 – 1999 · 4 yrs
Tel Aviv, Israel

Member of Parliament
House of Commons
1979 – 1994 · 15 yrs
Ottawa, Canada Area

Education

McGill University
B.C.L., Law
1973 – 1975

Professor John Humphrey taught me the International Protection of Human Rights

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Just from the LinkedIn page we can get lots of information about David Berger. He was a Member of Parliament for several terms, is a former Ambassador to Israel, and now works for the NGO, Canadian Council for refugees.

Berger Pushed Asylum For UK “Refugees”

Ex-diplomat takes refugee case

MARINA JIMÉNEZ
SHAWN MCCARTHY › GLOBAL ENERGY REPORTER
PUBLISHED AUGUST 16, 2005
UPDATED APRIL 22, 2018

PUBLISHED AUGUST 16, 2005
This article was published more than 10 years ago. Some information in it may no longer be current.

0 COMMENTS SHARE

David Berger, a former MP who served as Canada's ambassador to Israel, has taken up the case of Shazia Khalid, the Pakistani physician who was raped and threatened with death in her home country.

Dr. Khalid, 32, was forced into exile in London in March, along with her husband, but maintains she had always intended to seek asylum in Canada, where her relatives live.

Canada was one of the first countries to include gender-based persecution in its refugee determination process, and should come to the aid of the high-profile victim of violence, said Mr. Berger, a former Quebec Liberal MP (Westmount-St. Henri) who was posted to Israel as ambassador in 1995.

“The U.K. may not be the safest place for her,” said Mr. Berger, a lawyer who has taken Dr. Khalid’s case pro bono.
“It appears for some time Dr. Khalid has ***indicated she wanted to come to Canada*** and this is the country where she would be the happiest.”

Two interesting points about this Globe and Mail article. The first is that Mr. Berger sees nothing wrong with asylum shopping, and that refugees should simply be allowed to go where they please.

The other is that he claims the UK is not a safe country. Could this be because of their policy of bringing in huge numbers of Muslim migrants? Now the demographic shift has made the UK unsafe? In that case, why should we bring Muslims to Canada, and turn it into

the UK (or essentially the 3rd world)?

David Berger Part Of CCR

> Immigration lawyer and David Berger is a member of the Canadian Council of Refugees, an NGO that advocates for migrants. Berger is also Canada's former Ambassador to Israel and a former member of Canada's Parliament. "We've got a backlog today of 30,000 claims whereas about two years ago the backlog was 10 or 15 thousand," he explained. He said there aren't enough immigration judges, formally known in Canada as decision makers.

> "We believe the government has to appoint more decision makers. 120 decision makers is just not enough," Berger continued. He added that Canada is a better country for the contributions refugees make. He represents or has represented people with advanced degrees in literature and finance, images that defy stereotypes harbored by some anti-immigrant forces.

David Berger is part of the Canadian Council for Refugees, which, among other things, is working to strike down the Canada/U.S. Safe 3rd Country Agreement. If this is successful (it was initially, but overturned on appeal a decade ago), people from the warzone that is the United States will be free to waltz in and claim they are refugees, regardless of how meritless the claims may be.

Jewish Refugee Action Network

"Never again must the world watch and do nothing while a government singles out people for torment, persecution or death"
Michele Landsberg

JRAN JEWISH REFUGEE ACTION NETWORK

"The Council of Europe and Amnesty International have acknowledged that the"

JRAN is a national organization that brings together individuals from diverse backgrounds who are deeply concerned about the changes made in 2012 to Canada's refugee determination system and refugee health care coverage. These changes place refugees at risk and disrupt Canada's humanitarian values and traditions. JRAN is a Jewish initiative that invites multi-faith and multi-cultural support and welcomes the involvement of individuals throughout Canada. Our mission is to advocate for change through the political process, education, public-speaking, and the media.

The Issues | ***Support JRAN***

David Berger

David Berger, a Montreal lawyer, specializes in immigration, refugee and citizenship law. He assists people in applications for temporary and permanent residence, including study permits and visitor visas, skilled worker applications, business immigration and humanitarian and compassionate applications. He represents clients in refugee claims, appeals to the Immigration Appeal Division, and judicial review applications to the Federal Court of Canada.

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Overview of JRAN's concerns

Since 2012, significant changes have been made to Canada's treatment of refugees. For decades, Canada's refugee system worked towards protecting people in danger and other humanitarian goals. The new changes, however, do the following: discriminate between individuals based on their country of origin or how they arrived in Canada; create serious challenges in the refugee

determination process, which could lead in some cases to the deportation of individuals to their home countries and a real risk of persecution or worse; and limit certain humanitarian protections. In addition, since 2012, a half century's old system of providing healthcare coverage to people seeking refugee status has been cut, thereby stranding thousands of people who are lawfully in Canada without emergency or life-saving healthcare.

1. Refugee Determination Process

Since 2012, changes to the refugee determination system make it difficult for many refugee claimants to prove their claims, and limits their ability to get a fair hearing due to severely shortened timelines, restrictions on appeal rights, and restrictions on other legal processes. Without a fair refugee hearing, there is a risk that people will be deported to countries where they face danger to their safety, freedom, or even their lives….

2. "Designated Countries of Origin" (DCOs)

The new Designated Countries of Origin (DCO) scheme creates a new category of refugee claimant. Refugee claimants from designated countries are not entitled to the same legal process as refugee claimants from non-designated countries. Ostensibly created to distinguish between refugee claimants from "safe" countries and claimants from other countries, in reality the DCO scheme creates a two-tiered system that discriminates between refugee claimants based on their country of origin, and limits the ability of claimants to get a fair hearing regarding their individual case….

3. "Designated Foreign Nationals" (DFNs)

Under the new designated foreign national (DFN) scheme, the Minister of Public Safety may "designate" two or more refugee claimants who arrive in Canada without the appropriate Canadian visas or documents, if the Minister believes that they have paid someone to help them enter Canada, or if they lack the papers necessary to prove their identity in what the Minister believes is a "timely manner." Being identified as a DFN has serious consequences, including mandatory group detention for what may be lengthy periods, restrictions on appeal rights, and restrictions on gaining permanent residence status…

> ***4. Cuts to Refugee Healthcare Coverage***
> In 2012, the Canadian government made drastic cuts to healthcare coverage for refugee claimants. An Order in Council took away even basic emergency and life-saving medical care from thousands of refugee claimants who have lawfully sought Canada's protection…

The Jewish Refugee Action Network states that it is concerned about rights and social services for refugees coming into Canada. Interesting that Berger, a several term Member of Parliament, shows far more concern for the well being of foreigners than he does Canadians.

Now let's get to what JRAN considers the "refugee issue", and it attempts to give some historical context.

> **Jews as Refugees – Biblical Connection**
> The Exodus from Egypt, one of the central stories in Jewish tradition, is a foundation document of Jews as refugees. Having been held slaves under the pharoahs for several hundred years, the Israelites were desperate for their freedom. Their dramatic departure reached its climax at the Red Sea, when the Israelites were finally able to escape Pharoah's soldiers and Egypt.
> .
> **Jewish law – Spiritual Connection**
> Jewish texts and laws provide a constant reminder about the Exodus and about the experience of slavery in Egypt. The Exodus is the central experience recounted in the Torah. It is mentioned as part of our weekly Friday night blessings, and is told in far greater detail at our annual Passover seders. At the seder, surrounded by comfort and good food, we are encouraged to remember the story as if we were the ones who had been slaves and refugees.
> The experience in Egypt is repeated often in the Torah, with the explicit admonition to treat others with compassion and justice. Our Biblical laws – requiring us to provide for the widow and orphan, to treat workers fairly, and to help the foreigners in our midst – explain that we must do so because we ourselves were foreigners in Egypt. This idea is echoed more than 30 times in the Torah. Here too, we are asked to put ourselves in the position of our ancestors: slaves and foreigners in Egypt.
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Jews as Refugees – Historical Connections

The Shoah (Holocaust) was another defining moment for the Jewish people. The genocide of six million Jews was a tragedy, heightened by the indifference of those free countries who refused to admit Jews to safety on their shores. Canada is one of several countries who bear the shame of having refused to receive 900 Jewish refugees who had managed to escape Germany aboard the ocean liner St. Louis. Many Canadian Jews remember the treatment of these desperate Jewish refugees.

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Jews and Roma – Parallel Histories of Persecution

The persecution of Jews in Europe for many centuries, bears certain similarities to that experienced by the Roma people, who also faced restrictions on their employment and permitted living areas, violence, expulsions, and other forms of oppression. The Roma people, like the Jews, were the only other group legally targeted for extermination by the Nazis, and experienced their own genocide known as the Porajmos. Unfortunately, the Roma in Europe continue to suffer many forms of violence, discrimination, at the hands of bigots and fascists with the collusion of some governments.

Clearly, never missing an opportunity to play the victim narrative. David Berger is a Board Member of this group. This is the list.

JRAN Members
Honorary Members

- Stephen Lewis, Honorary Canadian Co-Chair
- Michele Landsberg, Honorary Canadian Co-Chair

Board Members

- Rabbi Arthur Bielfeld, founder of JRAN
- Ken Rosenberg, Chair
- Maureen Silcoff
- Mary Jo Leddy
- Noa Mendelsohn Aviv
- Dr. Philip Berger
- Bernie M Farber
- Mitchell Goldberg

- Valerie Hyman
- Audrey Macklin
- Anna Porter
- Gabriela Ramo
- Avrum Rosensweig
- Jon Telch
- Rivka Augenfeld
- Cynthia Levine-Rasky
- **David Berger**
- Mira Oreck
- Hesh Troper

Berger, JRAN, Lobbied For “Syrian Refugees”

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JRAN JEWISH REFUGEE ACTION NETWORK

“The Council of Europe and Amnesty International have acknowledged that the Roma communities in Europe are subjected to psychological and physical violence by”

Home > News/Events > **News**

News

Oct 20, 2014

Open letter to Prime Minister Harper from the Jewish – Refugee Action Network about Syrian Refugees

By:
October 16, 2014

VIA FAX AND EMAIL

Fax: 613 941 6900

As a wealthy and peaceful country, we have a shared international responsibility to be a safe haven for refugees and to treat them with fairness. As Jewish Canadians, we join other faith groups, legal organizations, and settlement workers in calling on our government to do our share for the vulnerable people fleeing Syria. Specifically:

1. To put in place flexible provisions to allow family members of Canadian citizens, permanent residents, and recognized refugees to enter Canada by ***issuing Temporary Resident Permits, with the possibility of access to permanent residence later***.

2. In close consultation and coordination with sponsorship agreement holders, to admit 10,000 Syrian refugees from refugee camps within the next year. The UNHCR recently requested countries to settle 100,000 Syrian refugees. ***Canada has traditionally agreed to resettle 10 per cent of UNHCR requests***.

3. That all pending applications for Syrian refugees be processed expeditiously, and that in no case should the processing of a refugee claim ***take more than one year***.

4. That processing of Syrians ***not replace or divert any resources from other refugee or family reunification programs***.

Refugees from Syria cannot afford to lose any more time. People are in crisis, and the world is watching. Prime Minister, the ***government must act now***. We would be pleased to meet with you or members of your staff to further discuss this urgent issue.

Yours very truly,

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Noa Mendelsohn Aviv
Rivka Augenfeld
David Berger, former Ambassador to Israel
Dr. Philip Berger
Rabbi Arthur Bielfeld
Bernie Farber
Mitchell Goldberg
Valerie Hyman
Michele Landsberg, OC
Maureen Silcoff
Jon Telch
Ken Rosenberg

The Jewish Refugee Action Network (which Berger is a Director of) was a major player in lobbying then PM Harper to take in so-called Syrian refugees.

Was Berger “ever” working for Canadians? Even during his several terms as an MP, or his tenure as Ambassador to Israel? Or was he a refugee lobbyist this entire time?

David Berger’s Many Roles

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Chairperson
David Berger
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David is a member of the Canadian Bar Association (Immigration Section), the Canadian Association of Refugee Lawyers, the Jewish
Refugee Action Network, and an associate member of the Canadian Council for Refugees.
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David Berger’s Law Practice

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Israel Refuses To Take Refugees

The New York Times

SUBSCR

Netanyahu Rejects Calls for Israel to Accept Syrian Refugees

THE TIMES OF ISRAEL

Netanyahu: Most African migrants in Israel 'not refugees'

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MARCH 18, 2020

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By RAPHAEL AHREN

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Netanyahu: Most African migrants in Israel 'not refugees'

As Israel steps up efforts at deportation, prime minister asserts majority of the mostly Eritrean and Sudanese nationals came here to 'look for jobs'

By TAMAR PILEGGI

3 September 2017, 2:33 pm | 6

311 shares

During a solidarity visit to Tel Aviv last Thursday, Netanyahu, Public Security Minister Gilad Erdan and Culture Minister Miri Regev toured south Tel Aviv and vowed that the government would "give back" the neighborhood to its Israeli residents.

> Netanyahu has previously said the government would take a ***three-pronged approach to the issue: a security fence along the Egyptian border***, which has already succeeded in significantly reducing the number of migrants who cross into Israel from African countries; increased enforcement against those employ illegal migrants and migrants who break the law; and the ministerial committee, which the prime minister said he will lead himself.

> ***Expulsion to a third country is largely unprecedented in the Western world***. Italy and Australia signed similar agreements with third-party countries — Italy with Libya, and Australia with Malaysia — but both proposals were shot down by local courts. In both cases, courts ruled the bills inconsistent with international law and the 1951 UN convention on refugees — to which Israel is also a party.

Interesting. Benjamin Netanyahu, the Prime Minister of Israel claims that the migrants in the country are not refugees, and seems content to deport them. Where is the outrage of people like David Berger? If Canada should do its part to take in people in a vast humanitarian effort, why the outrage at Israel refusing to do the same?

Netanyahu wants to keep Israel a Jewish nation, and he doesn't want hordes of very different people irreversibly changing the demographics. Yet Berger, and people like him, see nothing wrong with forcibly remaking the west.

Why isn't the former Ambassador to Israel lobbying for Israel to take refugees and open up its borders? After all, isn't humanity and compassion supposed to be universal? Why the double standard?

(1) https://www.linkedin.com/in/david-berger-20313212/
(2) http://archive.is/8HaiV
(3) http://lornematalon.com/2017/12/04/the-other-side-of-roxham-road-canada-grapples-with-border-refugees/
(4) http://archive.is/pjwr7
(5) https://www.theglobeandmail.com/news/national/ex-diplomat-takes-refugee-case/article20425189/
(6) archive.is/yvsOx
(7) https://www.ifcj.ca/site/SPageNavigator/ca/work/ca_our_board.html?

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(11) http://archive.is/3zwWq (2020)

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(18) http://jran.ca/news-events/news/2014/10/20/open-letter-to-prime-minister-harper-from-the-jewish-refugee-action-network-about-syrian-refugees

(19) http://archive.is/fetf1

(20) https://www.canada-immigration-law.com/our-team/

(21) http://archive.is/eSdft

(22) https://www.timesofisrael.com/netanyahu-most-african-migrants-in-israel-not-refugees/

(23) http://archive.is/LUS4d

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